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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Jonathan S. Stamler, Joseph Bonaventura, John R. Pawloski and Timothy J.



McMahon

Application No.: 10/045,603 Group: 1651

Filed: October 23, 2001 Examiner: Not assigned

For: Red Blood Cells Loaded with S-Nitrosothiol and Uses Therefor

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, P.O. Box 2327, Arlington, VA 22202
on Oct 20/02 KBastarache
Date Signature

Kathleen M. Bastarache

Typed or printed name of person signing certificate

REPLY TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Box Missing Parts
Assistant Commissioner for Patents
P. O. Box 2327
Arlington, VA 22202

Sir:

In reply to the Notice to File Missing Parts dated April 23, 2002, the following documents and fees are being submitted for filing in the captioned application. A copy of the Notice is attached.

EXECUTED DECLARATION FOR PATENT APPLICATION
(Separate transmittal letter and postcard not required)

POWER OF ATTORNEY DOCUMENT

GRANTED BY INVENTOR(S)

GRANTED BY ASSIGNEE, including Statement under 37 C.F.R. 3.73(b)
(Separate transmittal letter and postcard not required)

PRELIMINARY AMENDMENT
(Separate transmittal letter and postcard not required)

FILING FEE - with Fee Transmittal for Patent Applications in duplicate
Fee calculations based on:

Claims as originally filed

Claims upon entry of the Preliminary Amendment filed [herewith] [with the application]
(Separate transmittal letter and postcard not required)

SURCHARGE - surcharge fee of \$65.00.
(Separate transmittal letter and postcard not required)

[] **SEQUENCE LISTING** - Filed concurrently and is attached
(Separate transmittal letter and postcard required)

[] **SUBSTITUTE DRAWINGS**

[] Sheets of substitute drawings consisting of Figs. 1 - [] are enclosed
(Separate transmittal letter and postcard not required)

[] **PETITION FOR EXTENSION OF TIME**

[] Applicant hereby petitions to extend the time to respond to the Notice to File Missing Parts dated [] for [] month(s) from [] to []. The appropriate fee of \$[] is included in the enclosed check

[] A [] month extension of time to respond to the Notice to File Missing Parts dated [] was filed on [] with payment of a \$[] fee

[] Applicant hereby petitions for an additional [] month extension of time to respond to the Notice to File Missing Parts. The appropriate fee of \$[] is included in the enclosed check

(Separate Petition for Extension of Time and postcard not required)

[] **REQUEST FOR CORRECTED FILING RECEIPT** - Filed concurrently and is attached
(Separate transmittal letter and postcard required)

[X] STATEMENT CLAIMING SMALL ENTITY STATUS

[] Was filed on []

[X] Is enclosed herewith
(Separate transmittal letter and postcard not required)

[] In view of the small entity status of the captioned application, we hereby request a reimbursement of 50% of the filing fees in the amount of \$[] which were paid on [] to be deposited in Deposit Account No. 08-0380.

The fees required for filing the indicated documents are enclosed in the form of a check in the total amount of \$1203.00. Please charge any deficiency or credit any overpayment in the fees that may be due in this matter to Deposit Account No. 08-0380. A copy of this letter is enclosed for accounting purposes.

Respectfully submitted,

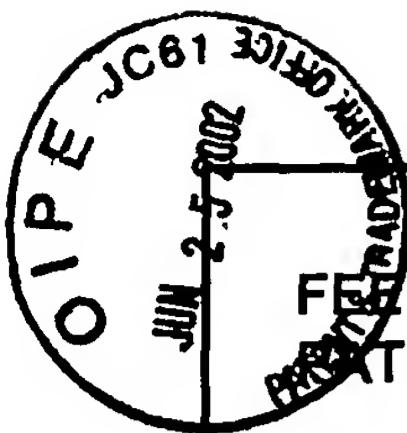
HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By Carol A. Egner
Carol A. Egner
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Tel.: (978) 341-0036
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Concord, Massachusetts 01742-9133

Date: June 20, 2002

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.



FEE TRANSMITTAL FOR PATENT APPLICATIONS

| | |
|------------------------|---------------------|
| Attorney Docket Number | 1818.1009-009 |
| Application Number | 10/045,603 |
| First Named Inventor | Jonathan S. Stamler |

CLAIM CALCULATION (includes any preliminary amendment)

| CLAIMS | (1) FOR | (2) NUMBER FILED | (3) NUMBER EXTRA | (4) RATE | (5) CALCULATIONS |
|--------|---|------------------|---|--------------------------------------|------------------|
| | TOTAL CLAIMS (37 CFR 1.16(c) or (j)) | 26 - 20* = | 6 | x \$ 18 = | \$ 108 |
| | INDEPENDENT CLAIMS (37 CFR 1.16(b) or (i)) | 20 - 3** = | 17 | x \$ 84 = | \$ 1428 |
| | MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d)) | | | + \$ 280 = | \$ |
| | | | | BASIC FEE (37 CFR 1.16(a) or (h)) | \$ 740 |
| | | | Total of above Calculations = | | \$ 2276 |
| | | | Reduction by 50% for filing by small entity (37 CFR 1.9, 1.27, 1.28) = | | \$ 1138 |
| | | | TOTAL = | | \$ 1138 |
| | | | Surcharge - Late Filing of Declaration or Filing Fees (37 C.F.R. 1.16(e)) = | | \$ 65 |
| | | | Petition for Extension of Time Fee (37 C.F.R. 1.17) = | | \$ |
| | | | Assignment Recordation Fee = (only when filed with application) | | \$ |
| | * Reissue claims in excess of 20 and over original patent ** Reissue independent claims over original patent | | | TOTAL = | \$ 1203 |

1. Small entity status:

- a. A small entity statement is enclosed.
- b. A small entity statement was filed in the prior non-provisional application and such status is still proper and desired.
- c. Is no longer claimed.

2. A general authorization is hereby granted to charge deposit account number 08-0380 for any fees required under 37 CFR 1.16 and 1.17 in order to maintain pendency of this application. A copy of this authorization is enclosed for accounting purposes.

3. A check is enclosed for \$1203.00. Please charge \$[] to Deposit Account No. 08-0380.

4. Other: _____

| | | | |
|---------------------------------------|----------------|-------------|---------------|
| Signature | Carol A. Egner | Date | June 29, 2002 |
| Submitted by Typed or Printed Name | Carol A. Egner | Reg. Number | 38,866 |



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 10/045,603 | 10/23/2001 | Jonathan S. Stamler | 1818.1009-009 |

CONFIRMATION NO. 3692

David E. Brook, Esq.
HAMILTON, BROOK, SMITH & REYNOLDS, P.C.
530 Virginia Road
P.O. Box 9133
Concord, MA 01742-9133

FORMALITIES LETTER



OC00000007925217

Date Mailed: 04/23/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

06/28/2002 JBALINAN 00000029 10045603

| | | | |
|-----------|--------|----|----------------------------|
| 01 FC:201 | 370.00 | OP | FILED UNDER 37 CFR 1.53(b) |
| 02 FC:202 | 714.00 | OP | |
| 03 FC:203 | 54.00 | OP | |
| 04 FC:205 | 65.00 | OP | <i>Filing Date Granted</i> |

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

Items Required To Avoid Processing Delays:

The item(s) indicated below are also required and should be submitted with any reply to this notice to avoid further processing delays.

- Additional claim fees of **\$1536** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$2406** for a Large Entity

- **\$740** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$1536**
 - **\$108** for 6 total claims over 20.
 - **\$1428** for 17 independent claims over 3.

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*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE